



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Los Angeles Region

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Los Angeles Regional Water Quality Control Board Minutes of July 24, 2003 Special Board Meeting held at Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles, California

INTRODUCTION

The meeting was called to order by Chairperson Cloke at 9:15 am.

Board Members Present

Julie Buckner-Levy, Susan Cloke, Francine Diamond, R. Keith McDonald, H. David Nahai, Timothy Shaheen

Board Members Absent

Christopher Pak and Bradley Mindlin

Staff Present

Dennis Dickerson, David Bacharowski, Ronji Harris, Jack Price, Steve Cain, Jenny Newman, Laura Gallardo, Paula Rasmussen, Dixon Oriola, Rodney Nelson, Wen Yang

Others Present

Dave Edwards
Irene Tomlinson, Knollwood Property
Owners Association
Francis Navickas
Mary Anna Kienholz
Joan Leonard, Sherman Oaks
John and Sue Hendricks
Joel Simonian, American Waste Industries
Kim Thompson, Commissioner for Environmental
Affairs, City of Los Angeles
Michael Olnick
Dave Parikh
Dianna Hecht
Gideon Kracov, Representing Los Angeles City
Attorney Rocky Delgadillo

Allen R. Hecht
Dr. Wayne Aller, Knollwood Property
Owners Association
Marc Gottesman
James Carson, GHNNC
Robin Navickas, GH NNC
J. Richard Lagner
Barbara Iversen
Brian Williams, Representing
Mayor James Hahn
Cherie Mann
Esther Simmons
Mary Edwards, North Valley Coalition
Wayne Adelstein, Northridge/Porter
Ranch Chamber of Commerce

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Nicole Bernson, Representing Los
Angeles City Councilman Greig Smith
Wayde Hunter, North Valley Coalition
Nancy Hoffman, Mid Valley Chamber of Commerce
Ann Kinzle, Reseda Chamber of Commerce
Raymond Cote
Lu Hooper, North Valley Coalition

Becky Bendikson, Granada Hills North
Neighborhood Council
Mary Ellen Crosby, Friends of the Park
Bonny Herman, VICA
Meg Volk
Ralph Kroy

Pledge of Allegiance

1. Roll Call

A roll call was taken.

2. Order of Agenda

There were no changes to the agenda.

3. Board Member Communications and Ex Parte Disclosure

Chair Cloke reported that she and Dennis Dickerson met with Assembly Member Liu to discuss stormwater issues and with Mark Pisano and Dan Grisct from SCAG to discuss Basin Plan issues. She also stated that she met with representatives from the City of Malibu to discuss a wastewater treatment plant proposal.

4. Public Forum

There were no speakers during public forum

5. Uncontested Items Calendar

There were no uncontested items.

6.1 Sunshine Canyon Landfill Waste Discharge Requirements

Dennis Dickerson, Executive Director, gave the staff presentation. He reviewed the location of the landfill, which lies partly in the City of Los Angeles and partly in the County. The proposed WDRs were for expansion of the City portion of the landfill. He reviewed landfill regulations and the Regional Board's role in regulation. He reviewed the joint technical document prepared by BFI, the landfill operator, and upon which the tentative WDRs were based. He explained the type of waste that could be accepted at the landfill and then reviewed the requirements for operation imposed in the tentative WDRs, including construction standards, a single composite liner system, and onsite monitoring. He discussed the known groundwater issues at the site, including low levels of VOCs detected down gradient from the City side of the landfill and beneath the

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drainage system of the County side. The levels detected in the groundwater were less than drinking water MCLs. Mr. Dickerson then went over the corrective action program required by the tentative WDRs. The plan would be brought before the Board at a future meeting to address the potential release of any leachate to the groundwater. He then reviewed comments received and the remaining issues of concern, including earthquake risks, proximity to the Los Angeles Reservoir, the liner system, and proximity to a residential community. Mr. Dickerson then introduced James Stratton from the Office of Environmental Health Hazard Assessment to address community members' concerns about possible cancer risks posed by living near the landfill.

Dr. James Stratton, OEHHA, stated that he reviewed the transcript from the June 18th Board workshop and much of the administrative record, spoke with local health officials and studied Dr. Kozak from USC's review of the cancer registry, and did not find any excess cancers in people who lived near the landfill. He stated that there was not an increased risk of cancer in areas surrounding the landfill.

Dr. Ranken, Los Angeles County Department of Health, discussed the requirements needed to determine a link between an environmental agent (e.g. landfill) and a biological effect (e.g. increased risk of cancer). He stated that it was impossible to link the landfill to illnesses in nearby residents.

Dave Edwards, Project Director of Sunshine Canyon Landfill Project, discussed the history of and need for the landfill, the site conditions, design features, and measures taken for water quality protection. He stated that the landfill was supported by two EIRs.

Brian Williams, Office of the Mayor of the City of LA, spoke against the landfill, stating that it was a threat to the community, the environment, and water quality.

Gideon Krackoff, Los Angeles City Attorney's Office, opposed any permits that would allow expansion of the landfill. He asked that the Board investigate the subdrain system, the extraction trench, sewer capacity to accept leachate, and the use of contaminated soil as a landfill cover.

Nicole Bernson, Councilmember Greig Smth's Office, opposed the landfill due to its proximity to a water source, schools, and neighborhoods.

Bonny Herman, Valley Industry and Commerce Association, supported the landfill until the City and County could propose another plan.

Others in support of the proposed WDRs

*Nancy Hoffman, Mid Valley Chamber of Commerce
Ann Kinzle, Reseda Chamber of Commerce
Wayne Adelstein, Northridge/Porter Ranch Chamber of Commerce
J. Richard Lagner, San Fernando Valley United Chambers of Commerce
Joel Simonian, American Waste Industries*

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Others opposed to the proposed WDRs

*Wade Hunter, North Valley Coalition
Mary Ellen Crosby, Friends of Olmavany Park
Becky Bendickson, Granada Hills North Neighborhood Council
Raymond Cote
Ralph Kroy
Meg Volk
Lu Hooper
Robin Navickas
Francis Navickas
Dr. Wayne Aller, Knollwood Property Owners Association
Mary Anna Kienholz
Dave Parikh
Marc Gottesman
James Carson
Michael Olnick
Irene Tomlinson, Knollwood Property Owners Association
Joan Leonard
John Hendricks
Barbara Iverson
Kim Thompson, City of Los Angeles Commissioner for Environmental Affairs
Allen Hecht
Cherie Mann
Ester Simmons
Mary Edwards, North Valley Coalition*

Board Questions

Board Member Nahai asked Brian Williams to comment on the City's previous adoption of an ordinance allowing the landfill expansion and to state why they were not able to combine the county and city-side landfill expansions into one application.

Mr. Williams answered that the ordinance was adopted several years ago under a different council and different mayor. He stated that he believed it was the applicant's decision to apply for two separate permits.

Vice Chair Diamond asked Mr. Williams to discuss the City's plans for trash in the future.

Mr. Williams replied that the City was not planning to use the landfill after 2006 and that the City was investigating increased recycling and new technologies.

Board Member Buckner-Levy thanked all of the people who attended the meeting and expressed disappointment that others did not attend.

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Board Member McDonald asked if there was any opposition to the permit from DWP.

Mr. Williams replied that they were working with DWP.

Board Member McDonald asked staff to reply to one of the comments given earlier that the City would be in violation of its conditional use permit if it allowed the expansion.

Dennis Dickerson replied that the City would be in violation if their portion of the landfill was not closed before construction began on the County side.

Rod Nelson, Chief, Landfills Unit, replied that the tentative WDRs required that before BFI could proceed with expansion of the County side, they would have to complete closure of the existing landfill.

Board Member McDonald asked why the permits for the City and Council portion of the landfill were not applied for jointly. He asked staff to address other comments made about the need for a double liner.

Mr. Dickerson replied that he was not aware why the decision was made not to review the City and County portions together. He added that it was not appropriate to require a double liner at Sunshine.

Mr. Nelson replied that State and Federal requirements for a single composite liner included a synthetic liner plus two feet of compacted clay. He stated that a double composite liner was not required for any other landfill in the Region and a single composite liner was appropriate for a Class III landfill such as Sunshine.

Board Member Shaheen asked why this permit was being considered before the other phase of the landfill closed. He stated that he had concerns about the cumulative impacts of multiple phases.

Vice Chair Diamond asked if staff was expecting any further study from OEHHA. She also stated that since staff wasn't bringing BFI's corrective action plan before the Board until a future meeting, it would make more sense to wait to adopt these WDRs. She asked about the mitigation plan for the six acres of wetlands that would be destroyed by the expansion. She asked about the capacity of the sewer system and the detection of dioxane in the groundwater.

Mr. Dickerson replied that staff was not expecting another OEHHA study. He stated that the wetlands mitigation plan would be a part of the 401-certification process, which has been designated to the Executive Officer for approval. He added that the amount of leachate from the landfill expansion that would be sent to the sewer system was insignificant when compared to all other industrial sources. Finally, he stated that staff learned of the dioxane in the leachate and groundwater downgradient from the City side of the landfill after they sent a letter requesting testing for emerging chemicals.

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Chair Cloke asked if it was in the Board's authority to request that OEHHA further study the neighborhood to determine if a causal relationship between the landfill and increased rates of cancer existed. She asked if the Board could direct staff to bring the wetlands mitigation plan before the Board for approval. Finally, she asked if the odors provision in the WDR included a prohibition of windblown contaminants.

Mr. Dickerson replied that the Board could make the request for an OEHHA study, but whether or not the request carried the full force of the law was a question for legal staff. However, he added that Dr. Ranken made it clear in his testimony the difficulty in proving a causal relationship. He stated that the wetlands mitigation plan could be brought before the Board for their consideration.

Mr. Nelson added that the WDR contained a requirement that BFI move deposition at the landfill to a lower elevation during high winds.

Board Member Nahai stated that he was concerned with cumulative impacts of the multi-phased expansion and with the dioxane plume. He asked the representatives from BFI if a double liner was cost prohibitive.

Mr. Edwards replied that it was more complicated than just putting a price on a double liner.

The Board members asked some more questions of BFI representatives, and then each member presented a list of concerns they had with the proposed WDRs.

There was a motion to continue the item and to direct staff to present a status report and timeline for completion of the following requested tasks at the next Board meeting:

- *Clarification of 401 certification process*
- *Discussion of wetlands mitigation plan*
- *Better analysis of wind tunnel effect*
- *Characterization of dioxane plume*
- *More clarification on the sewer system's capacity to accept collected leachate*
- *Clear statement as to satisfaction of precondition requirements*
- *Better description of cumulative impacts of the entire landfill expansion*
- *Proposed plan for the investigation of any health risks posed by the expansion*

MOTION: By Chair Cloke, seconded by Board Member McDonald, and approved on a voice vote.

Adjournment of Current Meeting

The meeting adjourned at approximately 3:00 pm. The next regular meeting is scheduled for August 7, 2003, at the Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles at 9:00 a.m.

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Minutes adopted at the _____ Regular Board meeting
submitted/amended.

Written and submitted by: _____.

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